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BEFORE THE ARIZONA CORPORATION COMMISSION

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2010 NOV -4 P 2:50

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF:

GEORGE BEIN-WILLNER, for  
GLENDALE & 27<sup>TH</sup> INVESTMENTS, LLC

COMPLAINANT,

v.

QWEST CORPORATION,

RESPONDENT.

DOCKET NO. T-01051B-10-0200

Arizona Corporation Commission

DOCKETED

NOV - 4 2010

DOCKETED BY

*[Signature]*

PROCEDURAL ORDER

**BY THE COMMISSION:**

On May 17, 2010, George Bein-Willner, for Glendale & 27<sup>th</sup> Investments, LLC ("Complainant") filed with the Arizona Corporation Commission ("Commission") a formal complaint ("Complaint") against Qwest Corporation ("Qwest"). The Complaint alleges that Qwest has incorrectly billed Complainant, who owns and operates Sterling International Hotel, for a 1-800 line that should have terminated in 2004. Complainant requests relief in the amount of approximately \$10,000.

On June 10, 2010, Qwest filed an Answer to the Complaint, denying the allegations alleged in the Complaint. Qwest's Answer states that as a gesture of goodwill, and not as an admission of liability, Qwest provided Complainant a back credit to July 2009 and Qwest requests that the Commission dismiss the Complaint.

On August 16, 2010, a Procedural Order was issued scheduling a procedural conference for September 8, 2010, and Qwest's request to dismiss the Complaint was denied.

On August 20, 2010, Complainant filed a letter requesting that the procedural conference scheduled for September 8, 2010, be rescheduled for early October, due to a conflict in Complainant's business schedule.

1 On August 26, 2010, Qwest filed a response to Complainant's request for a continuance of the  
2 procedural conference. Qwest stated that it had no objection to the continuance and requested to  
3 appear telephonically if the newly scheduled date conflicted with scheduled travel.

4 On August 27, 2010, a Procedural Order was issued continuing the procedural conference on  
5 September 8, 2010, to October 7, 2010, and Qwest's request to attend telephonically was granted.

6 On October 7, 2010, the procedural conference was held as scheduled. Qwest appeared  
7 through counsel and Complainant appeared on his own behalf. During the procedural conference, the  
8 parties requested that Staff conduct an informal mediation to provide clarification on the issues  
9 involved in the Complaint and to see if settlement of the issues is possible.

10 The parties' request to engage in informal mediation conducted by Staff is reasonable and  
11 should be granted.

12 IT IS THEREFORE ORDERED that the parties shall engage in an informal mediation  
13 conducted by Staff in an effort to clarify the issues involved in the Complaint and to determine if  
14 settlement of the issues is possible.

15 IT IS FURTHER ORDERED that upon completion of the informal mediation, Staff shall file,  
16 within 30 days of such event, a report in this docket updating the Commission on status of the  
17 informal mediation and the resolution of any issues.

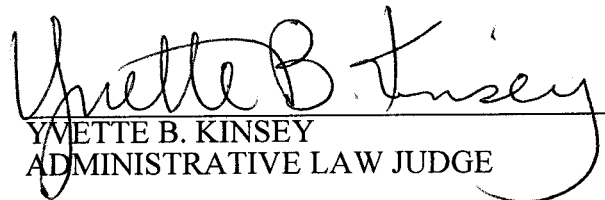
18 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
19 Communications) applies to this proceeding.

20 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules  
21 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*  
22 *hac vice*.

23 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance  
24 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
25 Rules of Arizona Supreme Court). Representation before the Commission includes the obligation to  
26 appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter  
27 is scheduled for discussion, unless counsel has previously been granted permission to withdraw by  
28 the Administrative Law Judge or the Commission.

1 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
2 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
3 hearing.

4 DATED this 4<sup>th</sup> day of November, 2010.

6   
7 YVETTE B. KINSEY  
8 ADMINISTRATIVE LAW JUDGE  
9

10  
11 Copies of the foregoing mailed/delivered  
this 4<sup>th</sup> day of November, 2010, to:

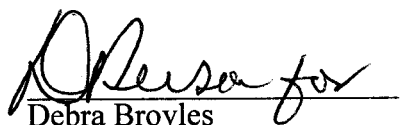
12 George Bein-Willner  
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14 3641 North 39<sup>th</sup> Avenue  
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23  
24 By:

  
25 Debra Broyles  
26 Secretary to Yvette B. Kinsey  
27  
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